

REMARKS

Claims 1-28 are all the claims pending in the application. Claims 3-6, 10-12, 15, 19, 20, 22, 25, and 28 have been withdrawn from consideration for being directed to a non-elected invention. Claims 1, 2, 7-9, 13, 14, 16-18, 21, 23, 24, and 26-28 have been examined.

By this Amendment, Applicant cancels claims 2-6 without prejudice or disclaimer. Applicant reserves the right to file a continuation and/or divisional application directed to the cancelled claims.

In addition, Applicant amends claim 1, 23, and 26 to further clarify the features set forth therein and claims 14 and 16 for conformity therewith. Applicant also rewrites allowable claim 7 into its independent form and amends the claim for improved conformity with the US practice. Claims 24 and 27 are amended in an analogous fashion to claim 7.

I. Preliminary Matters

As preliminary matters, Applicant respectfully requests the Examiner to acknowledge Applicant's claim to foreign priority and to indicate receipt of the certified copy of the foreign priority document in the National Stage application from the International Bureau. Applicant also respectfully requests the Examiner to indicate acceptance of the drawing figures filed on September 23, 2005.

Applicant thanks the Examiner for returning the initialed forms PTO/SB/08 submitted with the Information Disclosure Statements filed on March 8, 2005 and October 16, 2007.

II. Summary of the Office Action

Claims 1, 2, 13, 14, 16-18, 26, and 27 are rejected under 35 U.S.C. § 102 and claims 23 and 24 are rejected under 35 U.S.C. § 103. Claims 21 is allowed and claims 7-9 contain allowable subject matter.

III. Claim Rejections under 35 U.S.C. § 102

Claims 1, 2, 13, 14, 16-18, 26, and 27 are rejected under 35 U.S.C. § 102(b) as being anticipated by JP 2000-001033 to Hiromi (hereinafter “Hiromi”). Applicant respectfully traverses these grounds of rejection at least in view of the following exemplary comments.

Independent claim 1 *inter alia* recites: “wherein, in case that the position of said edge was not detected, said liquid ejecting apparatus sets said start position or said end position to a position that has been established in advance independent of the position of said edge that was detected in the past.”

Hiromi discloses conveying a sensor in a transverse direction, making a lengthwise direction convey a printing medium, and repeating the detection operation at a printing-medium end and the tip of a printing medium, when a printing-medium end and a printing-medium tip cannot detect. In Hiromi, when the printing-medium end and a printing-medium tip cannot be detected, the print column position from a printing-medium end and a printing-medium tip can be correctly finalized based on the position of the edge detected in the past (¶¶ 15-21). In other words, Hiromi only discloses setting the start or end position depending on the position of the edge detected in the past and not based on elements independent from the position of the edge detected in the past.

Therefore, “in case that the position of said edge was not detected, the liquid ejecting apparatus sets the start position or the end position to a position that has been established in

advance independent of the position of the edge that was detected in the past,” as set forth in claim 1 is not disclosed by Hiromi, which lacks setting a position based on elements independent of the position of the edge detected in the past. For at least these exemplary reasons, claim 1 is patentable distinguishable (and is patentable over) Hiromi. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection of claim 1 and its dependent claims 13, 14, and 16-18.

Claim 2 has been cancelled, rendering this rejection moot with respect to claim 2.

Next, independent claim 26 recites features similar to, although not necessarily coextensive with, the features argued above with respect to claim 1. Therefore, arguments presented with respect to claim 1 are respectfully submitted to apply with equal force here. For at least substantially analogous reasons, therefore, independent claim 26 is patentably distinguishable from (and is patentable over) Hiromi.

Independent claim 27 has been amended to include the features of the allowable claim 7. As acknowledged by the Examiner, Hiromi does not disclose or suggest “wherein, in case that the position of said edge was not detected, said start position or said end position is determined based on a single position of said edge that was detected in the past and a predicted maximum skew angle of said medium,” as set forth in claim 27. For at least these exemplary reasons, therefore, claim 27 is patentably distinguishable (and is patentable over) Hiromi.

IV. Claim Rejections under 35 U.S.C. § 103

Claims 23 and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hiromi in view of U.S. Patent No. 6,189,993 to Mantell (hereinafter “Mantell”). Applicant respectfully traverses these grounds of rejection at least in view of the following exemplary comments.

Independent claim 23 recites features similar to, although not necessarily coextensive with, the features argued above with respect to claim 1. Applicant has already demonstrated that the Hiromi does not meet all the requirements of independent claim 1. For at least substantially analogous exemplary reasons, therefore, independent claim 23 is patentably distinguishable from (and is patentable over) Hiromi. Mantell is relied upon only for its disclosure of a computer (*see* page 6 of the Office Action) and as such fails to cure the deficient disclosure of Hiromi. Together, the combined teachings of these references would not have (and could not have) led the artisan of ordinary skill to have achieved the subject matter of claim 23.

Independent claim 24 recites features similar to, although not necessarily coextensive with, the features argued above with respect to claim 27. Applicant has already demonstrated that the Hiromi does not meet all the requirements of independent claim 27. For at least substantially analogous reasons, therefore, independent claim 24 is patentably distinguishable from (and is patentable over) Hiromi. Mantell is relied upon only for its disclosure of a computer (*see* page 6 of the Office Action) and as such fails to cure the deficient disclosure of Hiromi. Together, the combined teachings of these references would not have (and could not have) led the artisan of ordinary skill to have achieved the subject matter of claim 24.

V. Allowable Subject Matter

Applicant thanks the Examiner for indicating that claim 21 is allowed and that claims 7-9 contain allowable subject matter. Claim 7 is rewritten in its independent form. Accordingly, Applicant respectfully requests the Examiner to now allow claim 7. Applicant does not acquiesce to the Examiner's reasons for allowance.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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